GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 7.15 ha of forest land in Compt. Nos. 431, 432, 433, 434 & 438 of Panapakam and Panapakam Extn RFs in Panapakam Section of Chittoor (East) Wildlife Division, Chittoor District for extraction of Black Granite in favour of M/s Kamala Granites, Chittoor – Extension of validity of the Forest clearance approval as co-terminus with the period of mining lease - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.5 **Dated:15.02.2022**

Read the following:-

1)From the GoI, MoEF&CC, RO, Chennai, Lr.F.No.4-APC570/2009-BAN/1338, dated.24.08.2017.
2)G.O.Ms.No.58, EFS&T(Sec.II) Department, dated.21.09.2017.
3)GoI, MoEF&CC, guidelines letter in F.No.11-51/2015-FC, dated.30.11.2017 and comprehensive Guidelines in Lr.No.F.No.5-2/2017-FC, dt.28.03.2019.
4)From the GoI, MoEF&CC, RO, Chennai, Lr.F.No.APB570/2009-BAN/0473, dated.21.03.2019.
5)Govt.Memo.No.1128/Sec.II/2019,EFS&T(Sec.II) Department, dated.25.07.2019.
6)From the PCCF & HoFF, A.P., Lr.Ref.No.EFS02-15029/12/2019-FCA SEC-PCCF/FCA-1, dated.02.09.2021.
7)State Govt.Letter No.1128/Sec.II/2019, EFS&T(Sec.II) Department, dated.07.10.2021.
8) From the GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.APB570/2009-BAN/98, dated.09.12.2021.

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ORDER:

In the letter 1st read above, the Government of India, Ministry of Environment, Forests & Climate Change, have accorded (Stage-II) approval under Section '2' of Forest (Conservation) Act, 1980 for diversion of 7.15 ha. of forest land in Compartment Nos.431, 432, 433, 434 & 438 of Panapakkam and Panapakkam Extn. RFs in Panapakkam Section of Chittoor East WL Division, Chittoor District for extraction of Black Granite in favor of M/s. Kamala Granites, Chittoor, subject to certain conditions stipulated therein. In the G.O.2nd read above, the State Government, have issued orders for the above said project.

2. In the letter 4th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (Southern Eastern Zone) Chennai, have informed the Regional Office, Ministry of Environment, Forests & Climate Change, Chennai vide letter dt.24.08.2017 has conveyed approval under FCA, 1980 for the project for a period of 10 years or co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Amendment Act, 2015, or Rules framed there under, whichever is earlier, in favour of M/s Kamala Granites, Chittoor. The User Agency vide letter dt.21.03.2019 has referred to the Ministry's guidelines No. 11-51/2015-FC, dated.30.11.2017 and requested for extension of validity of the forest clearance dated 24.08.2017. Further, they have informed as per the Ministry's guidelines No.11-51/2015-FC, dated.30-11-2017, the validity of the forest clearance conveyed for the project vide letter No.4-APC570/2009-BAN/1338, dt.24-08-2017 under Section - 2(ii) of Forest (Conservation) Act, 1980 for mining of minor

(Contd.P.2)

mineral, regulated under Rules made under Section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under Section 15 of MMDR Act, 1957, subject to certain conditions stipulated therein.

3. In the Govt.Memo.5th read above, the Principal Chief Conservator of Forests & Head of Forest Force, was requested to inform mining lease period granted by the Director of Mines and Geology, under the MMDR Act, 1957 and also requested to furnish compliance of conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change in the letter 4th read above.

4. In the letter 6th read above, the Principal Chief Conservator of Forests & Head of Forest Force, has furnished compliance report on the stage-II conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change letter, dated 24.08.2017 and informed the DMG, Ibrahimpatnam in Proceedings No.11115/D13-1/2018, dt.17.11.2020 granted quarry lease over an extent of 7.150 ha. for Black Granite in favour of M/s. Kamala Granites, Chittoor for a period of (20) years. In pursuance of the above proceedings, the Asst. Director of Mines & Geology, Chittoor in Proceeding No.4328/Q2/2008, dated 06.01.2021 executed quarry lease for (20) years period i.e., from 06.01.2021 to 05.01.2041. The DFO, Chittoor East in Rc.No.2008/2008/D, dated 02.06.2021 has permitted M/s. Kamala Granites for carrying out mining of Black Granite.

5. The Principal Chief Conservator of Forests & Head of Forest Force, has requested to consider the above information and issue suitable orders extending the validity of forest clearance co-terminus with the mining lease period i.e., upto 05.01.2041 under Section 15 of MMDR Act, 1957 since Government of India already issued orders in Government of India, Ministry of Environment, Forests & Climate Change, R.O., Chennai, F.no.4-APB570/2009-BAN/0473, dated 21.03.2019 extending forest clearance co-terminus with MM (D&R) Act, 1957.

6. After careful examination of the proposal and as per guidelines issued by the Government of India, Ministry of Environment, Forests & Climate Change in the letter 3rd read above, Government hereby order that the validity of the forest clearance accorded by the Government of India, Ministry of Environment, Forests & Climate Change letter dt.24.08.2017 under Section-2 (ii) of Forest (C) Act, 1980 for diversion of 7.15 ha of forest land in Compt. Nos. 431, 432, 433, 434 & 438 of Panapakam and Panapakam Extn RFs in Panapakam Section of Chittoor (East) Wildlife Division, Chittoor District for extraction of Black Granite in favour of M/s Kamala Granites, Chittoor, shall be for a period co-terminus with the period of mining lease i.e., up to 05.01.2041, under section 15 of MMDR Act, 1957, subject to the following conditions:-

i. The State Forest Department shall realize from the user agency the Net Present Value (NPV) of the forest land so diverted, if not realized so far, within two years in two equal installments;

ii. The State Forest Department shall ensure maintenance of the safety zone of 7.5 mts width all along the periphery mining area (within the mining lease area) from the amount which has already been realized from the user agency;

(Contd.P.3)

iii. The State Forest Department shall realize Net Present Value (NPV) from the user agency for the forest land falling in the safety zone area and shall submit revised a map (along with the DGPS coordinates) including the safety zone area;

iv. All levies under the project shall be deposited with "State CA fund" of the Andhra Pradesh State;

v. The User Agency / State Forest Department shall submit a copy of the mining lease to Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Chennai for records;

vi. The State Forest Department / User Agency shall comply with all conditions stipulated in the Stage II approval dated 24.08.2017 in addition to the conditions mentioned above. In the event of failure to comply with any of the above conditions, the user agency is liable for penal action as decided by the Additional PCCF(Central), Regional Office, Chennai.

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIJAY KUMAR GSRKR
SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:

The Inspector General of Forests (Central)
Government of India,
Ministry of Environment, Forests & Climate Change
Integrated Regional Office, Vijayawada,
Green House Complex, Gopal Reddy Road,
Vijayawada-520010.

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s Kamala Granites, Chittoor.

The P.S to Hon'ble M(EEFS&T)

The P.S to Secretary, EFS&T Department.

SF/SC.

// FORWARDED :: BY ORDER //

N Jagadeswari
SECTION OFFICER